

REMARKS

In the Advisory Action mailed 04/01/05, claims 1, 3-10, 12-21, and 24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Applicant's prior art in view of Bontemps et al. (U.S. Pat. No. 5,923,663).

Applicant respectfully traverses this rejection.

1. The cited prior art does not teach or suggest all of the claim limitations.

Directing Examiner's attention to MPEP 2143.03, to establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. Claim 1 recites:

In a communications system having a router, said router having a PCI-compliant front card, said front card being configured to accept a LAN or WAN compliant back card, a method for detecting the absence of a Phy Layer device on the back card and communicating said absence to the front card, said method comprising:

receiving, by a switching input of a tri-state buffer provided on the front card, a sensing signal from the back card;

if said sensing signal is a logical low, then coupling a IDSEL signal corresponding to a particular channel of said back card to said front card; and

if said sensing signal is not low, then decoupling said IDSEL signal from said front card and providing a logical low signal in the place of said IDSEL line.

Remaining independent claims 10 and 18 in the present application contain similar limitations; Applicant's arguments presented below apply equally to claims 10 and 18 as they do to claim 1.

Examiner has cited Bontemps (US Patent 5,923,663) at column 1, lines 27-32 as being evidence that Bontemps fully discloses being configurable with a LAN or Wan type back card. Applicant respectfully reminds the Examiner that Applicant's argument is that **Bontemps does not teach communication between a PCI-compliant front card**

configured to accept a LAN or WAN complaint back card, thus utilizing IDSEL signaling between the front card and back card. Bontemps at column 1, lines 27-32 reads:

“For example, the range of a network refers to the distance over which nodes are distributed, such as local-area networks (LANs) within an office or floor of a building, wide-area networks (WANs) spanning across a college campus, or a city or a state and global-area networks (GANs) spanning across national boundaries.”

While the Examiner states that this disclosure automatically includes any card used in such an environment, Applicant refutes such an assertion and demands proof supporting Examiner’s position with regard to this assertion.

Bontemps’ use of a XOVER_SEL signal is not the equivalent of how the present invention uses a IDSEL signal. Examiner’s attention is again directed to AAPA page 4 line 15 – page 5 line 3, which reads:

By way of background, when a PCI-compliant device is coupled to a hot device, certain procedures occur to ensure a proper connection. An important aspect of the PCI standard is the identification of devices which have made themselves available to the bus. When a device is present, it makes its presence known by responding to the host when its IDSEL input is driven high during a config cycle. During the config cycle, a device is targeted by a combination of Command/byte enable signals (C/BE[3:1] = 101) during the PCI address phase, and by making active the device’s IDSEL input. All devices on the PCI bus will look at their IDSEL inputs and will respond if the IDSEL input is active.

Additional explanation is presented in page 5 of the AAPA of how the FE MAC on a PCI-compliant front card is **permanently located on the front card**. This is what causes the problem presented in Applicant’s AAPA, and is not contemplated by Bontemps. In fact, PCI-compliant front cards are not the same as anything disclosed, taught or suggested by Bontemps. Bontemps doesn’t even mention PCI (as discussed below with respect to lack of motivation to combine Bontemps with the AAPA), and thus Bontemps does not disclose claim 1 of the present application’s limitation of *if said sensing signal*

is a logical low, then coupling a IDSEL signal (or an XOVER_SEL signal) corresponding to a particular channel of said back card to said front card. It cannot be argued that Bontemps teaches a front card having a FE MAC, as FIG. 2 in Bontemps shows arrows leading from each PHY to an unillustrated MAC.

2. There is no implicit disclosure of PCI-compliant front cards having MACS located thereon in Bontemps.

Examiner's attention is directed to MPEP 2144.01:

“In considering the disclosure of a reference, it is proper to take into account not only the specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom.”

If the Examiner maintains that Bontemps discloses an inference which one skilled in the art would reasonably be expected to draw that Bontemps can be extended to PCI-compliant front card having a MAC located thereon in any manner, Applicant demands evidence of such disclosure or suggestion.

3. There is no motivation to combine Bontemps with Applicants Admitted Prior Art.

Bontemps does not teach any resolution of the problem described in AAPA because Bontemps does not recognize the problem described in AAPA. AAPA describes the problem that occurs when a FE MAC is located on the front card.

4. In order to combine Bontemps with AAPA, the Examiner must show that Bontemps in combination with AAPA would arrive at Applicant's invention.

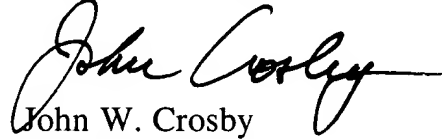
Absent this, there is no motivation to combine Bontemps with AAPA because such combination doesn't solve the problem described in Applicant's AAPA.

In conclusion, Applicant respectfully submits that the 35 USC 103(a) rejection of claims 1, 10 and 18 (and thus their respective dependent claims) cannot be sustained. If the Examiner feels there are any remaining issues that can be resolved by telephone, Examiner is invited to call the undersigned attorney at the phone number listed below.

Date: April 12, 2005

Sierra Patent Group, Ltd.
P.O. Box 6149
Stateline, Nevada 89449
Telephone: (775) 586-9500

Respectfully submitted,
SIERRA PATENT GROUP, LTD.


John W. Crosby
Reg. No. 49,058